

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Albert Russo
CN 4853
Trenton, NJ 08650
(609) 587-6888
Standing Chapter 13 Trustee

In re:

Brian L West

Debtor(s)

Case No. 20-12097 / MBK

Hearing Date: June 24, 2020 10:00 am

Judge: Michael B. Kaplan

Chapter: 13

TRUSTEE'S OBJECTION TO DEBTOR(S) CHAPTER 13 PLAN

Albert Russo, Standing Chapter 13 Trustee, objects to the Debtor(s) Plan for the following reason(s):

The debtor has failed to supply the Trustee with the following document(s):

A current market analysis - for Chestnut Street property (or proof that property was sold at Sheriff's Sale).

Domestic Support Obligation information

A copy of the last filed tax return - : 2019 tax return by 8/15/20.

A copy of the homeowner's insurance renewal declaration - for Chestnut Street property (or proof that property was sold at Sheriff's Sale).

A copy of the deed - for Chestnut Street property (or proof that property was sold at Sheriff's Sale).

The debtor(s) plan consists of unnecessary or excessive expense items, such as: \$250 entertainment, \$600 DSO (need proof), \$1,800 non-debtor student loans and credit cards (need proof).

The debtor(s) is not paying all disposable income into the plan pursuant to either Schedules I & J or Form 22C based upon the Trustee's review of the income and tax returns provided. The Trustee's calculations are higher for the following reason(s): - There is \$5,899 monthly disposable income per Form 122c, as filed, which requires a \$353,940 minimum dividend for general unsecured creditors.

- The \$2,083.48 pension loan deduction on Sch I for non-debtor spouse should have been paid off in April based upon the balance reflected on her pay stub from the State of NJ.

- Income documentation provided verifies higher (\$6,462/\$5,162) than scheduled (\$4,944/\$2,521).

WHEREFORE, Standing Chapter 13 Trustee, Albert Russo, objects to confirmation of the plan.

/s/ Albert Russo

Albert Russo

Standing Chapter 13 Trustee

by: David Martin, Staff Attorney